

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office. JUL 18 1988

Returned to applicant for correction. _____

Corrected application filed. FEB 21 1986 (Prop POU & POD)
Map filed under 49550, (exist
POU under 41588), (exist POD under 41588),
(Prop. POU 47962)The applicant Newmont Gold Company
Post Office Box 669 of Carlin
Street and No. or P.O. Box No. City or TownNevada 89822 hereby make^s application for permission to change the
State and Zip Code No.Point of Diversion, Place of Use and Planner of Use
Point of diversion, manner of use, and/or place of useof water heretofore appropriated under Permit No. 41588
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree andidentify right in Decree.)

1. The source of water is Underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 5.4 cfs
Second feet, acre feet. One second foot equals 448.3 gallons per minute.
3. The water to be used for Mining, Milling and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26 T34N, R51E, MDM at a point from
Describe as being within a 40-acre subdivision of public survey and by course and
which the SE corner of said Section 26 bears S24°52'E 2,373 feet distance
distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9 T33N, R52E, MDM at
If point of diversion is not changed, do not answer
at point from which the NW corner of said Section 9 bears N85°30'W, 4,360 feet
distance
7. Proposed place of use Sections 34, 35 & 36 T34N, R51E, MDM; Sections 1, 2, 3, 10, &
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
11 T33N, R51E, MDM; and Section 6 T33N, R523, MDM
8. Existing place of use SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ of Section 9 and W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
10 all in T33N, R52E, MDM - 600 acres
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) drilled and cased well equipped with motor,
State manner in which water is to be diverted, i.e., diversion structure, ditches,
pump, and pipe line to place of use
pipes and flumes, or drilled well, etc.
12. Estimated cost of works None - existing well
13. Estimated time required to construct works None - existing well drilled under Permit No.
49916

14. Estimated time required to complete the application of water to beneficial use..... 10 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The annual consumptive use under this application will be in addition to the 5,110 acre feet already allocated to Newmont Gold Co. Maps filed under Permit Nos. 41588 and 49916 are made a part hereof to support this application.

By s/ Michael D. Buschelman Agent
5405 Mae Anne Avenue
Reno, Nevada 89523

Compared pm/se pm/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of the waters of an underground source as heretofore granted under Permit 41588 is issued subject to the terms and conditions imposed in said Permit 41588 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

No perforations shall be put in the production casing from ground level to 100 feet.

The total combined duty of water under Permits 40900, 47962, 48257, 48328, 48330, 48910, 48911, 48912, 49550, 49916, 49962, 51962, 52330, 52331 and 52332 shall not exceed 10,390 acre-feet annually.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 5.4 cubic feet per second., but not to exceed 1800 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... February 22, 1990

Proof of completion of work shall be filed before..... March 22, 1990

Application of water to beneficial use shall be made on or before..... February 22, 1991

Proof of the application of water to beneficial use shall be filed on or before..... March 22, 1991

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I..... PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 18th day of May

A.D. 19 89

[Signature]
State Engineer

(PERMIT TERMS CONTINUED)

use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

